

O

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

JS - 6

CIVIL MINUTES - GENERAL

Case No.	CV 11-5173 PSG (FMOx)	Date	Sept. 19, 2011
Title	Michael Ben Graves v. IBT Local 572, <i>et al.</i>		

Present:	The Honorable Philip S. Gutierrez, United States District Judge
----------	---

Wendy K. Hernandez	Not Present	n/a
Deputy Clerk	Court Reporter	Tape No.

Attorneys Present for Plaintiff(s):

Attorneys Present for Defendant(s):

Not Present

Not Present

Proceedings: (In Chambers) Order DISMISSING case

On August 17, 2011, the Court issued an Order denying Plaintiff Michael Ben Graves' ("Plaintiff") motions for remand and granting Defendants IBT Local 572, Rick Middleton, Traci Smith, Lourdes Garcia, and Atlantic Express, Inc.'s (collectively, "Defendants") motions to dismiss. *See* Dkt. # 48 (Aug. 17, 2011). Plaintiff was granted leave to file an amended pleading in accordance with the Court's Order by September 7, 2011. Further, he was specifically instructed that failure to do so would result in dismissal of his claim with prejudice. *Id.*

It is now approximately two weeks after the September 7, 2011 deadline has passed, and Plaintiff has yet to file an amended pleading in this matter. He failed to adhere to the Court's clear instruction, choosing instead to file yet another motion seeking to remand this action and void the Court's August 17, 2011 Order. Thus, in light of the foregoing, the Court **DISMISSES** this action with prejudice. All other pending motions in this action are hereby rendered MOOT.

IT IS SO ORDERED.